

JUN 14 2007

209 Providence Rd., Chapel Hill, NC 27514
Tel: 919-419-8582 Fax: 919-419-8583 or 919-989-7602

Wolff Law Office, PLLC

Fax

To:	USPTO - Mail Stop Petitions	From:	Kevin Alan Wolff
Fax:	571-273-8300	Pages:	11 (including cover sheet)
Phone:	571-272-3600	Date:	6/14/2007
Re:	Ser No. 10/6571,396 – Petition To Withdraw Holding Of Abandonment	CC:	

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

This transmittal is intended only for the use of the individual, company, or entity to which it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this transmittal is not the intended recipient, the employee of, or agent responsible for delivering the transmittal to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us by mail at the above address. Thank you.

Comments:

Dear Office of Petitions:

Please find a Petition to Withdraw Holding of Abandonment and evidence supporting the Petition.

Sincerely,

Kevin Wolff

RECEIVED
CENTRAL FAX CENTER

JUN 14 2007

WOLFF LAW OFFICES, PLLC - FILING RECORD

Page 1 of 1

Attorney Docket No.: HAM-PAUS0001
Today's Date: June 14, 2007
Attorney: Kevin A. Wolff
Fee Transmitted Herewith: \$0.00
Serial No.: 10/517,396
Filing Date: November 28, 2004
Title: METHOD AND APPARATUS FOR FORMING BORED
HOLE
Inventors: Theodore Roy Dimitroff

VIA Facsimile

TRANSMISSION HEREOF ACKNOWLEDGES RECEIPT OF:

DOCUMENTS BEING FILED:

- (1) Transmittal Form
- (2) Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action
- (3) Copies of 2 Executed Power of Attorney forms recently filed
- (4) Copy of PAIR Image File Wrapper Available Documents listing for US Patent Application No. 10/517,396 dated 6/7/2007 (2 pages)
- (5) Copy of PAIR Information showing the United States Postal Service Return to Sender label and USPTO Received Stamp dated October 23, 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 11

Application Number	10/517,398
Filing Date	11/28/2004
First Named Inventor	Theodore Roy Dimitrov
Art Unit	3672
Examiner Name	Nicole A. Coy

RECEIVED
CENTRAL FAX CENTER

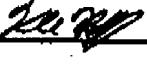
JUN 14 2007

Attorney Docket Number HAM-PAUS0001

ENCLOSURES (Check all that apply)

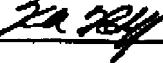
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Filing Record
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> 2 Powers of Attorney Forms
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Copy of PAIR Image File Wrapper Available
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Documents listing dated 6/7/07
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.63		<input type="checkbox"/> Copy Indicating Undeliverable Mail
Remarks		
PLEASE NOTE THE RECENT CHANGE OF CORRESPONDENCE ADDRESS to the address for the Customer No. 000058837		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Wolff Law Offices, PLLC, P.O. Box 9858, Chapel Hill, NC 27515-9858		
Signature	/Kevin Alan Wolff/ 		
Printed name	Kevin Alan Wolff		
Date	06/14/07	Reg. No.	42,233

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	/Kevin Alan Wolff/ 		
Typed or printed name	Kevin Alan Wolff	Date	06/14/07

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JUN 14 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Theodore Roy Dimitroff

Group Art Unit: 3672

Appn. No.: 10/517,396

Examiner: Nicole A. Coy

Filed: November 28, 2004

Confirmation No.: 5576

Title: METHOD AND DUAL REAMER
APPARATUS FOR FORMING BORED
HOLE

Attorney Dkt No.: HAM-PAUS0001

Date: June 14, 2007

* * * * *

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

Mail Stop Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This response is respectfully submitted in reply to the Notice of Abandonment included in the Office Action mailed May 29, 2007. Withdrawal of this Notice of Abandonment is respectfully requested.

Unfortunately, the earlier issued Office Action mailing, date mailed October 12, 2006, was never received by attorney Kenneth R. Schaefer or the Applicant prior to the Notice of Abandonment, as evidenced by the USPTO Transaction History record as found in the Public PAIR system. Recently our firm was contacted to take over the prosecution of this patent

Further, Applicant submits herewith evidence from the USPTO records in Public PAIR that the Office Action dated mailed on October 12, 2006 was never received by the Attorney of record, Kenneth R. Schaefer, or the Applicant, and therefore neither the attorney of record nor the Applicant had notice of the pending Office Action dated mailed on October 12, 2006. Attached hereto is a printout of the Image File Wrapper Available Documents list from the USPTO Public Pair system for Patent Application Serial No. 10/517,396. According to the Available Documents list, the Non-Final Rejection Office Action mailed on October 12, 2006 was returned to the USPTO as undelivered to the USPTO Mail Room on October 23, 2006. The complete document was 13 pages. A viewing of the complete document received by the USPTO Mail Room on October 23, 2006 shows clearly that the Office Action dated mailed from the USPTO on October 12, 2006 was returned to the USPTO on October 23, 2006 for the reason that a Request to Forward Mail filed with the United States Postal Service by Mr. Schaefer had expired. As such, the United States Postal Service returned the Office Action to the USPTO on October 23, 2006. This is evidenced by the last page of the 13 page document scanned into the Image File Wrapper, a copy of which is attached hereto. As a result, no Response to the Office Action was ever prepared and sent to the USPTO because the Office Action was never delivered to the Attorney of record or the Applicant.

In a June 14, 2006 telephone conversation, the Examiner, Nicole Coy, confirmed that this information in the USPTO Image File Wrapper as provided in PAIR was correct and that the Office Action mail dated October 10, 2006 was received back by the USPTO on October 23, 2006, and never mailed again to the Attorney or Applicant before the Notice of Abandonment was mailed out by the USPTO on May 25, 2007.

RECEIVED
CENTRAL FAX CENTER

JUN 14 2007

PTO16B/01 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM

Application Number	10/517,396
Filing Date	11/28/2004
First Named Inventor	Theodore Roy Dimitrov
Title	Method and Apparatus for Forming ..
Art Unit	3672
Examiner Name	Nicole Coy
Attorney Docket Number	HAM-PAU50001

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

 Practitioners associated with the Customer Number:

68937

OR

 Practitioner(s) named below:

Name	Registration Number

to my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

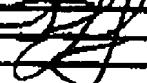
 The address associated with the above-mentioned Customer Number;
OR The address associated with Customer Number:
OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the:

 Applicant/Inventor,
 Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(a) (notched). (Form PTO/SB/06)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	6-11-07
Name	Theodore Roy Dimitrov	Telephone	571-449-6186
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.82 and 1.93. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JUN 14 2007

PTO/SB/01 (01-06)

Approved for use through 12/31/2006. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/517,398
Filing Date	11/28/2004
First Named Inventor	Theodore Roy Dimitroff
Title	Method and Apparatus for Forming ..
Art Unit	3872
Examiner Name	Nicole Coy
Attorney Docket Number	HAM-PAUS0001

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

Practitioners associated with the Customer Number:

58937

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:
OR

The address associated with Customer Number:
OR

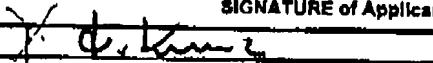
<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	11/6/2004
Name	Dr Herbert Kunz	Telephone	+49 89 207 02 8300
Title and Company	Patent Attorney with Signatory Authority, for Lettice Intellectual Property Ltd		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 7/10 * RCVD AT 6/14/2007 11:50:33 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/21 * DNIS:2738300 * CSID:7032881417 * DURATION (mm:ss):04:56

BEST AVAILABLE COPY

United States Patent & Trademark Office

Page 1 of 2



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz Alerts](#) | [News](#) | [Help](#)[Portal Home](#) | [Patents](#) | [Trademarks](#) | [Other](#)

Patent eBusiness

- [Electronic Filing](#)
- [Patent Application Information \(PAIR\)](#)
- [Patent Ownership](#)
- [Fees](#)
- [Supplemental Resources & Support](#)

Patent Information

- [Patent Guidance and General Info](#)
- [Codes, Rules & Manuals](#)
- [Employee & Office Directories](#)
- [Resources & Public Notices](#)

Patent Searches

- [Patent Official Gazette](#)
- [Search Patents & Applications](#)
- [Search Biological Sequences](#)
- [Copies, Products & Services](#)

Other

- [Copyrights](#)
- [Trademarks](#)
- [Policy & Law](#)
- [Reports](#)

Patent Application Information Retrieval

[Order Certified Application As Filed](#) [Order Certified File Wrapper](#) [View Order List](#)

10/517,398 Method and apparatus for forming bored hole

[Select](#) [Application](#) [Transmittal](#) [Image File](#) [Continuity](#) [Foreign](#) [Published](#) [Address & Print](#) [Documents](#) [Priority/Agent](#)

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

Available Documents

Mail Room Date	Document Description	Page Count	<input type="checkbox"/> Selected All	<input type="checkbox"/> Start Download	<input type="checkbox"/> Clear All
05-29-2007	Abandonment	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-23-2008	Mail returned to USPTO as undelivered	13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-12-2006	Search Information including classification, databases and other search related notes	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-12-2006	Notice of Formal Drawings Required	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-12-2006	Non-Final Rejection	8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-12-2006	List of references cited by examiner	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-12-2006	Index of Claims	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-12-2006	Bibliographic Data Sheet	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10-04-2006	Examiner's search strategy and results	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
02-24-2006	Notice of DO/EO Acceptance Mailed	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Transmittal of New Application	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Specification	7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Preliminary Amendment	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Oath or Declaration filed	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Miscellaneous Internal Document	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Fee Worksheet (PTO-06)	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Drawings	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Documents submitted with 371 Applications	19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Documents submitted with 371 Applications	12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Documents submitted with 371 Applications	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Documents submitted with 371 Applications	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Claims	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Claims	8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Certified Copy of Foreign Priority Application	19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11-29-2004	Applicant				
11-29-2004	Arguments/Remarks Made in an Amendment	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

United States Patent & Trademark Office

Page 2 of 2

11-29-2004	Abstract	1	<input type="checkbox"/>
11-28-2004	Miscellaneous Internal Document	1	<input type="checkbox"/>
11-28-2004	Fee Worksheet (PTO-08)	1	<input type="checkbox"/>
11-28-2004	Claims Worksheet (PTO-2022)	1	<input type="checkbox"/>

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail ERC@uspto.gov for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the USPTO Contact Center (UCC).
- If you experience technical difficulties or problems with this application, please report them via e-mail to EBusiness.Support or call 1 800-786-9199.

You can suggest USPTO webpages or material you would like featured on this section by E-mail to the webmaster webmaster@uspto.gov. While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.

[Home](#) | [Site Index](#) | [Search](#) | [eBusiness](#) | [Help](#) | [Privacy Policy](#)

RECEIVED
CENTRAL FAX CENTER
JUN 14 2007

Organization IC 3600 Bldg Room KNOX
U. S. DEPARTMENT OF COMMERCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
IF UNDELIVERABLE RETURN IN TEN DAYS
OFFICIAL BUSINESS



AN EQUAL OPPORTUNITY EMPLOYER

SC0298 079202055 1405 02 10/19/06
FORWARD TIME EXP RIN TO SENDER
SCAFFER
104 BAY POINT HARBOUR
POINT PLEASANT BEACH NJ 07742-5511
RETURN TO SENDER

